

DRAFT 6-16-14.3

WYOMING GAME AND FISH COMMISSION

CHAPTER 36

REGULATION GOVERNING TAXIDERMISTS

EMERGENCY RULE

~~(Emergency rules are no longer in effect 120 days after filing with the Secretary of State.)~~

Section 1. Authority. This regulation is promulgated by authority of W.S. §23-1-302, §23-1-701, §23-2-301, §23-2-302, §23-3-106, §23-3-401, §23-6-111 and §23-6-207.

Section 2. Regulation. The Wyoming Game and Fish Commission hereby adopts the following regulation governing taxidermists. This regulation shall remain in effect until modified or repealed by the Commission.

Section 3. Definitions. For the purpose of this regulation, definitions shall be as set forth in Title 23, Wyoming Statutes and the Commission also adopts the following definitions:

(a) "Taxidermist" means an individual licensed by the Department who conducts a commercial operation or business that engages in the art ~~or operation of preparing, preserving and mounting~~ mounting, preserving or preparing the skins or parts of ~~a~~ a wildlife specimen(s) for exhibition, ~~in a lifelike state or uses wildlife to cast or mold a lifelike resemblance of wildlife.~~ Taxidermist shall not mean an individual engaged in the business of mass reproducing artificial parts of wildlife.

(b) "Taxidermist record form" means a form provided by the Department to a licensed taxidermist to record wildlife specimens received by the taxidermist.

(c) "Wildlife specimen" means every wild mammal, bird, fish, amphibian, reptile, mollusk, crustacean or any parts thereof, or any hybrid including hybrids between wildlife and wildlife and hybrids between wildlife and domestic or domesticated animals.

(d) "Wyoming bobcat tag" means a tag issued and affixed by the Department to a bobcat.

~~Section 4. Taxidermist License Required.~~

~~Any person shall apply for and receive a valid taxidermist license prior to receiving any wildlife specimens for taxidermy purposes.~~

Section ~~5~~4. Taxidermists Records.

(a) ~~Immediately upon receipt, the~~ The taxidermist shall record ~~daily the each~~ daily the each wildlife ~~specimens~~ specimen(s) received, regardless of the place of origin, on taxidermist record forms provided by the Department or on taxidermist record forms approved by the Department. Taxidermist records shall be true and correct and shall include names and addresses of persons from whom each wildlife ~~specimens~~ specimen(s) were ~~was~~ received, date of receipt, location where taken (including hunt area if applicable), transportation/shipment destination, date killed if known, description and any identifying number, including, but not limited to licenses, tags, shipping permits or export permits which document the origin of the wildlife ~~specimens~~ specimen(s).

(b) A licensed resident taxidermist shall mail or deliver their taxidermist records to the Regional Game and Fish Office in accordance with the address listed in this section in the geographic region where the taxidermist business is located.

Casper Regional Office	3030 Energy Lane, Casper, WY 82604
Cody Regional Office	2820 State Hwy 120, Cody, WY 82414
Green River Regional Office	351 Astle, Green River, WY 82935
Jackson Regional Office	Box 67, 420 North Cache, Jackson, WY 83001
Lander Regional Office	260 Buena Vista, Lander, WY 82520
Laramie Regional Office	528 South Adams, Laramie, WY 82070
Pinedale Regional Office	Box 850, Pinedale, WY 82941
Sheridan Regional Office	700 Valley View Drive, Sheridan, WY 82801

(c) A licensed nonresident taxidermist shall mail or deliver their taxidermist records to the Wyoming Game and Fish Department, Wildlife Division Law Enforcement, 5400 Bishop Boulevard, Cheyenne, Wyoming 82006.

Section 5. Inspection of Taxidermist Records and Premises. Taxidermist records and premises shall be made available for inspection by Department personnel upon forty-eight (48) hours notification from the Department. Notification shall consist of personal contact or direct communication by telephone with the licensed taxidermist to schedule an inspection. Inspections shall be conducted during regular business hours.

Section 6. Taxidermist Possession of Wildlife Specimens.

(a) A resident person who is licensed as a taxidermist for the first time, a person who acquires another resident taxidermist business or a resident person who has not been licensed as a taxidermist in Wyoming during the previous calendar year shall have a complete inventory conducted by the taxidermist and a Department law enforcement officer of all wildlife specimens which the person has in possession. The inventory items shall be photographed, the inventory sheet signed and dated by the taxidermist and the Department law enforcement officer conducting the inventory and the taxidermist and the Department law enforcement officer shall each receive a copy of the inventory.

(b) The taxidermist shall not accept the pelt of a bobcat that does not possess a Wyoming bobcat tag affixed to the pelt or an export tag issued by another state.

(c) A licensed taxidermist shall not pick up, transport or possess a wildlife specimen(s), or parts thereof, that otherwise would require an interstate game tag, permit or license prior to taking possession of the wildlife specimen(s). This includes, but is not limited to, road-killed wildlife, or wildlife that died of natural causes. An interstate game tag is not required for a wildlife specimen(s) a licensed taxidermist receives from or ships to a client.

Section 7. ~~Endangered Species, Wild Sheep, Mountain Goat.~~ Possession of Migratory Game Birds or Federally Protected Species. The taxidermist shall record all wildlife on the taxidermist's record forms listed as threatened or endangered in Title 50 Part 17 of the Code of Federal Regulations dated October 1, 1997, and which does not include any later amendments or editions of the incorporated matter. A copy of Title 50 Part 17 of the Code of Federal Regulations can be viewed at Department regional offices. The taxidermist shall enter all capes, hides and skins of any wild sheep or mountain goat into the taxidermist's records. The taxidermist shall mark each cape, hide and skin of any wild sheep or mountain goat with an identifying number, punch mark, tattoo or tag. A Federal taxidermy license shall be required to possess any migratory game birds or federally protected species **for taxidermy purposes.**

Section 8. Approved Forms for Taxidermist Records. Taxidermist record forms for required record keeping shall be furnished by the Department. If designated as a game tag agent, the taxidermist shall be furnished with interstate game tag affidavit books and game tags by the Department. A taxidermist may, upon the written approval of the Regional Wildlife Supervisor, incorporate the interstate game tag affidavit or taxidermist record information into the taxidermist's invoice forms. The information required and the format of the Department's interstate game tag affidavit or taxidermist record form shall not be altered.

Section 9. Revocation of Taxidermist License.

(a) A taxidermist license may be revoked by the Commission for the following reasons:

(i) ~~The taxidermist refused~~**Refusal** to allow Department law enforcement officers to inspect ~~the~~**their** premises, wildlife specimens or records ~~during reasonable business hours~~**in accordance with Section 5;**

(ii) ~~The taxidermist failed~~**Failure** to keep or submit properly completed records required by this regulation and state Statute.

(b) Any revocation of a taxidermist license shall be subject to contested case proceedings in accordance with Wyoming Game and Fish Commission Regulation Chapter 27, Rules Of Practice Governing Contested Cases Before The Wyoming Game And Fish Commission.

(c) If a taxidermist license is revoked, the taxidermist shall immediately return each wildlife specimen to the customer(s) who provided it to the taxidermist.

~~**Section 10. Violation of Commission Regulations.** Failure to abide by the provisions of this regulation shall be punishable as provided by Wyoming statutes for violation of Commission regulations.~~

~~**Section 11. Savings Clause.** If any provision of this regulation is held to be illegal or unconstitutional, such a ruling shall not affect other provisions of this regulation which can be given effect without the illegal or unconstitutional provision; and, to this end the provisions of this regulation are severable.~~

WYOMING GAME AND FISH COMMISSION

By: _____
Richard Klouda, President

Date: ~~March 27, 2014~~**September 18, 2014**